

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

April 4, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, April 4, 2001. The meeting was called to order at 7:05 P.M. Present were Harvey L. Kliman, George M. Thorpe, and James E. Shipley. Solicitor Denis Dunn was also present.

AT&T Conditional Use Hearing Continuation

This continued hearing reviewed a landscaping and site plan that were revised as a result of an on-site meeting with the Supervisors Kliman and Thorpe, Jim Duff from the Brandywine Conservancy, and the Applicant's representatives. The proceedings are recorded in the Court Stenographer's Notes of Testimony. Mr. Thorpe motioned, Mr. Shipley seconded, Mr. Kliman amended, and the Board approved this revised plan, Revision No. 3 dated March 26, 2001, conditioned upon: (1) use of environmentally friendly pavers; (2) cable gate; (3) landscaping as discussed; (4) asphalt apron; (5) specification of responsible party for maintenance of corrugated steel pipe under apron; (6) a closer investigation of placement of trees (to be no more than eight feet apart) to be approved by our Engineer; and (7) removal of equipment should it become unused or obsolete. Our Solicitor will prepare a list of these conditions.

The regular meeting was called to order at 7:30 P.M. and the Pledge of Allegiance was recited. Also present was James C. Kelly of Kelly Engineers.

PUBLIC COMMENT

Ron Coates asked Mr. Shipley to explain why he was listed as Treasurer for the campaign of a candidate other than the incumbent, and wondered had he

considered how this would look. Mr. Shipley responded that this is permitted and he felt that, under the circumstances, it was prudent and justified. Campaigns issues not being an appropriate topic for this meeting, the discussion ceased. Mr. Coates was encouraged to contact the Republican Committee outside of a Township meeting to discuss this further.

STATE POLICE REPORT - no report

APPROVAL OF MINUTES

Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved the Minutes of the March 7, 2001, meeting as amended.

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Reports

Supervisors

Mr. Kliman delivered his Chairman's Report (see attached).

Treasurer

Account balances as of March 31, 2001:

State Funds:

v Checking	\$284.99	
v Savings	<u>\$653.48</u>	\$ 938.47

Township Funds:

v Checking	\$72,888.22	
v Savings	<u>\$34,197.63</u>	\$107,085.85

Escrow Fund: \$438,606.96

Total \$546,631.28

Certificates of Deposit opened December 12, 2000 – 14 months @ 6.50%:

Township Fund \$ 65,978.48
Building Fund \$102,443.61
Sewer Fund \$ 7,111.13
Land Trust \$ 10,000.00

Money Market opened December 12, 2000 – 30 days @ 6.05%:

Township Fund \$50,580.16

Total Certificates of Deposit/Money Market \$236,113.38

TOTAL ALL FUNDS \$782,744.66

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Receipts for the month of March 2001:

General Fund:

Treasurer of Delaware County – del. Tax	217.42
Treasurer of Delaware County – trans. Tax	11,451.30
District Court – fines	1,037.29
Commonwealth of PA – Liquor License fees	1,600.00
Chester Water Authority – permit	40.00
Richard J. Jensen	1,575.00
✓ \$800.00 – BP	
✓ \$355.00 – ZP	
✓ \$220.00 – PP	
✓ \$200.00 – C/O	

Engineering Reimbursements

v \$ 106.35 – Arthur D. Anderson	
v \$ 1,153.69 – Henderson Lot #2	
v \$ 606.37 – WaWa #1	15,428.76
v \$ 19.38 – O’Dea	
v \$ 1,843.60 – Children’s Hospital	
v \$ 721.39 – Henderson SD	
v \$ 353.66 – Henderson Lot #11	
v \$ 144.50 – Gary G. Whelan	
v \$10,479.82 – Barnaby’s	

Legal Reimbursements	5,734.75
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v \$ 774.00 – Henderson Lot #2	
v \$ 275.00 – WaWa #2	
v \$1,645.00 – O’Dea	
v \$ 25.00 – Harper	
v \$ 25.00 – Children’s	
v \$ 845.00 – Henderson Lot #11	
v \$2,145.75 – Barnaby’s	

SEO	1,800.00
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v \$300.00 – Leonard C. Giunta	
v \$500.00 – Dominic J. Pileggi	
v \$500.00 – Ryan Ser. Group – Lot 1 Dansfield	
v \$500.00 – Ryan Ser. Group – Lot 6 Dansfield	
Kaplin, Stewart, Meloff, Reiter & Stein – Applied Card #2	750.00

Sales of Maps & Ordinances	<u>113.25</u>
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Total Receipts – General Fund	<u>\$39,747.77</u>
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Receipts (cont.)

Interest – General Fund	96.55
Interest – State Fund	1.37
Interest – Money Market	<u>159.09</u>

Escrow Fund:

Kaplin, Stewart, Meloff, Reiter & Stein – Applied Card #2	<u>3,000.00</u>
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TOTAL RECEIPTS	<u>\$43,004.78</u>
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Bills presented for payment April 4, 2001:

General Fund:

PECO	\$745.62
v \$156.05	
v \$451.43	
v \$138.14	
PECO	89.95
Verizon (phone and fax)	107.94
Petrikina, Wellman, Damico, Brown & Petrosina	2,162.50
Kelly Engineers	12,210.64
Chadds Ford Township Sewer Authority	2,333.33
Shurgard of Painter's Crossing	169.00
Ehrlich	57.00
Suburban Propane	197.05
Merit Court Reporting Services	524.50
Marcia Sulla – Court Reporter	346.50
Martin Brothers Excavation	765.00
Martin Brothers Excavation	956.00
Elko & Associates, Ltd. (partial payment)	4,000.00
Brokerage Professionals, Inc. – Tax. Coll. bond	51.00
Charles J. Weigold	823.50
Marian C. Fuller – 2000 ZHB attendance	50.00
Helen Bauman – 2000 ZHB attendance	50.00
Diane Pendleton – 2000 ZHB attendance	50.00
Susie Ahlstrom	60.00
Harvey L. Kliman	125.00
George M. Thorpe	125.00
James E. Shipley	125.00

George M. Thorpe – Roadmaster

75.00

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Bills presented for payment April 4, 2001 (cont.):

Richard J. Jensen	7,404.45
Richard J. Jensen – phone	112.97
Richard J. Jensen – Brandywine Dr. inspections	437.50
Gail G. Force	1,092.85
EarthLink, Inc.	17.95
EarthLink, Inc. (Jan. & Feb.)	35.90
AOL	26.95
IRS	275.53
PA Dept. of Revenue	32.86
District Court	84.48
A.F. Damon Company	10,774.70
Rachel Kohl Library	<u>1,000.00</u>

TOTAL BILLS

\$47,495.67

Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the bills as presented.

Roadmaster

Mr. Thorpe delivered his Roadmaster's report (see attached).

Planning Commission

The Secretary highlighted applications reviewed at the March 28, 2001, Planning Commission meeting.

Mr. Kliman mentioned that attorney Michael Lyons had contacted him to

notify that a final plan will be prepared for Ferver before returning to the Supervisors; and, if there was any question regarding an extension, he verbally granted an extension. The Secretary advised that they have already signed an extension until June.

Zoning Hearing Board

Diane Pendleton, reporting for Chairman Ed Wandersee, reported no meetings the previous month and nothing scheduled for this month. The Chadds Ford Automobile matter has been withdrawn.

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HARB

Jackie Givens reported that the HARB had two Certificates of Appropriateness for signature of the Board of Supervisors; one for 326 Station Way Road and another for a building directly south of the Chadds Ford Inn. Representing the Applicant for the Station Way Road property, Mr. Ginter appealed to the Board to allow a palladian window that was denied by the HARB. Ms. Givens stated that the HARB's decision to deny this window was based on their architect's recommendation. Following some discussion about a window on the Station Way Road property, the Board approved both Certificates of Appropriateness based upon the HARB's decision.

Sewer Authority

Jim Murray reported the average of 24,000 gallons per day is an indication of significant infiltration that must be researched. The Secretary, Mrs. Taylor, had prepared a draft of a letter to be sent by the Board of Supervisors to Chester Water Authority giving authorization for specifications for backfilling along Longview. Mr. Kelly and the Board both approved the content of this letter to be sent by the Township Secretary on behalf of the Board.

As Mr. Kliman had noted, Jim Murray and he met with Tim Green,

Concordville Fire Marshal, to discuss fire hydrant installation during the Longview/Woodland/Summit water/sewer installation. He felt one at the end of Woodland Drive would be beneficial. The second hydrant on Longview would be recommended. Installation is \$1,500 per hydrant in addition to the monthly charge to the Township of \$33 per hydrant. Mr. Thorpe motioned, Mr. Shipley seconded and the Board approved these two hydrants subject to our Engineer's approval.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 1 temporary sign, 1 real estate sign, 1 grading, 1 residential home repair, 1 commercial alteration, 1 new home, and 1 for St. Cornelius construction.

Seven violation notices were issued. Two should be moved to District Court; Garnet Ford for sign violations, and Café Ole' has installed a temporary sign for the second time without a permit. The remaining five violations have been corrected.

Mr. Jensen asked the Board members if the well water ordinance information had been reviewed. This will be discussed at a later time.

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With regard to Brandywine Drive, there is an issue with regard to sidewalks. This also concerns whether or not Henderson should construct sidewalks on Lot 2 now.

The plan for Brandywine Drive shows 15-foot high light poles along this drive. Mr. Jensen could not find a directive from the Board and our Ordinance does not require them. The contractor has questioned if they are to be installed. Mr. Kliman mentioned that because the road is being constructed before the parking lot, it should be lighted so that it does not become a dark nuisance area. Mr. Jensen stated that both Henderson and Giant want to close this drive off if it is not dedicated to either PennDOT or the Township because they do not want to maintain it. The barricade that is shown on the Henderson plan will be erected and a barricade will be installed at some location near Spitz Labs. The Supervisors will have a discussion later on Brandywine Drive.

Engineer

Henderson (Lot 12) – There has been no significant change in the site development during the past month.

Henderson (Lot 2) – (same as last month)

Wawa (Dilworthtown) – A meeting was held with DEP and the Applicant's engineer to discuss the proposed sanitary sewer system design. DEP supported our position that there be no deviation from the regulations. The next step in the process will be for the Applicant to submit Planning Modules. Mr. Kelly further suggested that they not submit any plans until the sewerage issue is resolved.

Bancroft Homes – The Planning Commission reviewed the second final submission of this subdivision plan at their March 28, 2001, meeting. Further revisions will be made in response to Kelly Engineers' review comments for consideration at the April Planning Commission meeting. Mr. Kliman has spoken to the Developer. Because this property is heavily wooded, a large number of trees are to be removed just to place the homes. The Developer has asked if they should just replace the trees. Mr. Kliman suggested that they be more creative; i.e. on some of the more open lots, establishment of some habitat landscaping instead of tree replacement would be more attractive to the development and ecologically more friendly.

Chadds Ford Plaza (Brandywine Drive) – Weekly construction meetings are being held with the owners, contractors, Richard Jensen, and a representative of Kelly Engineers. The road pavement specification was presented to the contractors at the Project Meeting today. Proof rolling is being required to determine whether the sub-grade compaction is acceptable.

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Engineer (cont.)

2000 Road Program – (same as last month) - Although Mr. Kelly suggested final payment, the check will be held until Mr. Thorpe and Mr. Kelly can

address some minor issues of concern with the contractor. Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved this final payment in the amount of \$10,774.70.

SEO Reimbursement – Application for reimbursement has been submitted.

SEO Activity Report (see attached report for the period March 1-31, 2001)

Solicitor – no report

Open Space Committee

Samantha Reiner reported on the Committee's March 8, 2001, meeting (see attached). In an attempt to dispel rumors he has heard, that residents are uninformed, and make certain he has responded properly, Mr. Thorpe asked Ms. Reiner to confirm that the ordinance revisions that have been prepared thus far are proposed only; no hearings have been held and nothing is final. Ms. Reiner confirmed. Ms. Pendleton further clarified by reminding everyone that the Civic Association held a meeting for this purpose, to which approximately 70 people attended.

Property Planning Workgroup – no report

OLD BUSINESS - none

NEW BUSINESS

Well Water Ordinance – The proposed ordinance for control of well water will be passed on to the Planning Commission for consideration at their April meeting.

Outdoor Concerts – We have received a letter requesting permission for outdoor concerts at Olde Ridge Village on Thursday evenings between 6:30 PM and 8:30 PM starting in mid-June with folk music and a picnic atmosphere. Because of concern for neighboring residents, security, the number of people, the Board will visit the site and discuss this matter further.

Township Clean-up Day – Jim Murray announced Township Clean-up Day is April 28, 2001, at 8:30 AM at the Township Building.

Rachel Kohl Library – On behalf of Meg Hawkins, Louise Varney delivered a report of the Library. She also asked when the Library could expect to receive the donation from the Township. The Board agreed to send \$1,000. and look at our Budget later in the year for a possible additional donation.

Stonebridge Bed and Breakfast – Mr. Kliman mentioned that we have received ordinance language from Pennsbury Township; however, it addresses bed and breakfasts and not commercial restaurants. The Stonebridge proposal is for a 60-seat, very high-end restaurant, with two seatings per evening; and the bed and breakfast part of this proposal is very minor. Mr. Kliman asked if the other Board members had any comment. Mr. Thorpe stated that he had suggested they return with information regarding sewage, water, and traffic. Mr. Kliman will advise their consultant, MaryAnna Ralph, of our concerns; parking, sewage, and feasibility.

Brandywine Drive Loop Road – Mr. Kliman and Mr. Kelly had a meeting today with PennDOT, along with a representative of Orth Rodgers, John Ciccarone and his attorney Michael J. Lyons. The Township's position with PennDOT is that we are not interested in taking over the loop road because it is a functional part of the intersection of two major state highways; Rt. 1 and Route 202. Concordville owns the State Farm road, but it is not built to PennDOT specifications. Our loop road is being constructed to PennDOT specifications; however, PennDOT is also not interested in adding to their mileage; but would accept dedication if the Township would assume maintenance of another PennDOT road. We would receive additional Liquid Fuels money for maintenance of any road on which we agreed to accept maintenance. The Board members will discuss this further. Mr. Jensen suggested that the Township contact their State Representatives to exert pressure on PennDOT.

Address Re-numbering – Eleanor Lister again asked about the status of address re-numbering. She was advised that a plan is in the works. Ms. Lister also mentioned to Mr. Thorpe that visibility is limited at the intersection of Heyburn and Ridge. He advised her that Ridge Road is a State road that is maintained by PennDOT and not the Township. She also mentioned that on Heyburn there is a tree hanging over the road. Mr. Thorpe advised that the homeowner has been notified.

ADJOURNMENT

The meeting was adjourned at 9:30 P.M.

Gail G. Force, Secretary